



IT IS ORDERED as set forth below:

A handwritten signature in black ink, reading "Jeffery W. Cavender".

Date: July 29, 2020

**Jeffery W. Cavender
U.S. Bankruptcy Court Judge**

Signed as Revised by the Court

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

| | | |
|-----------------------------|---|----------------------------------|
| IN RE: |) | CHAPTER 13 |
| SHANA LATONYA STARKS |) | CASE NUMBER A15-71115-JWC |
| |) | |
| DEBTOR |) | |

**CONSENT ORDER ON TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
PROVIDE TAX RETURNS OR REFUNDS**

On November 03, 2017 at 9:30 am, the Court held a hearing on the Trustee's Motion to Dismiss based upon the failure of the Debtor to remit tax return(s) or refund(s) to the Chapter 13 Trustee. It further appears to the Court that the Debtor, through counsel, agreed at the call of the Court's calendar to a consent agreement. For cause shown, **IT IS HEREBY**

ORDERED, that the Debtor shall remit her Federal Income tax return or proof of an Income Tax Extension to the Trustee by May 15th of each calendar year for the remaining years the case is pending. If an extension is provided then the Debtor must provide the actual return to the Trustee by the extension deadline to be in compliance with the terms of this Order.

Additionally, unless further Court order allows retention, the Debtor shall pay any tax refund for the years of the Debtor's Applicable Commitment Period or any other agreed upon years to the Trustee by May 15th of each calendar year. If the Debtor fails to provide either the tax refund or tax return to the Trustee by May 15th or the date of the granted extension then the case shall be dismissed without further hearing upon receipt of the Chapter 13 Trustee's Supplemental Status Report requesting an Order of Dismissal. The Debtor may also submit notice to the Trustee that they are not required to file Federal Income Tax Returns or notice to the Trustee if the anticipated refund has not been received by the Debtor by the May 15th due date. Prior to recommending dismissal the Trustee shall contact the Debtor's attorney via email to alert them of the default at least 10 business days prior to recommending dismissal by supplemental report. Additionally, a letter will be sent to the Debtor each calendar year requesting a copy of the tax return.

The Clerk of the Court is directed to serve this Order on the parties included in the attached distribution list.

END OF DOCUMENT

CONSENTED TO BY:

/s/ _____
Julie M. Anania
Attorney for the Chapter 13 Trustee
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303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

/s/ _____
Darren Hojnacki
Attorney for Debtor
State Bar No. 100206
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Atlanta, Ga 30339
*Signed by Julie M. Anania
with express permission*

DISTRIBUTION LIST

Case No.: A15-71115-JWC

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Debtor Attorney:

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Chapter 13 Trustee:

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Atlanta, GA 30303